

UNITED STATES DISTRICT COURT

for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 13, 2018

SEAN F. McAVOY, CLERK

JAMES MICHAEL GARDNER,

Plaintiff

v.

COMMISSIONER OF SOCIAL SECURITY,

Civil Action No. 2:16-CV-424-FVS

Defendant

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the
defendant (*name*) _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus post judgment interest at the rate of _____ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____
_____ recover costs from the plaintiff (*name*) _____.

☒ other: The Report and Recommendation (ECF No. 16) is ADOPTED in it's entirety. Plaintiff's Motion for Summary Judgment (ECF No. 13) is DENIED. Defendant's Motion for Summary Judgment (ECF No. 14) is GRANTED. Judgment is entered in favor of Defendant.

This action was (*check one*):

☐ tried by a jury with Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision was reached.

☒ decided by Judge Fred Van Sickle _____ on a Report and Recommendation (ECF No. 16) and Motions for Summary Judgment (ECF Nos. 13 and 14).

Date: March 13, 2018

CLERK OF COURT

SEAN F. McAVOY

s/ Penny Lamb

(By) Deputy Clerk

Penny Lamb